Doha Declaration on the TRIPS Agreement and Public Health recognized that the TRIPS Agreement does not and should not prevent Members from taking members to protect public health. It reaffirmed the right of WTO Members to use, to the full, the provisions in the TRIPS Agreement which provide flexibility for this purpose. The Declaration recognized that these facilities include the right of each Member to grant compulsory license and the freedom to determine the grounds upon which such license is granted, the right to determine what constitutes a national emergency or other circumstances of extreme urgency and the freedom to establish its own regime for exhaustion of intellectual property rights.

Paragraph 6 of the Doha Declaration recognized difficulties of WTO Members with insufficient or no manufacturing capacities in the pharmaceutical sector in making effective use of compulsory licensing under the TRIPS Agreement and instructed the Council for TRIPS to find an expeditious solutions to this problem.

The General Council of the WTO took a Decision on 30 August 2003 for implementation of paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health. The Decision allows manufacture and export of patented pharamaceutical products under a compulsory licence to countries with limited or no manufacturing capacities in the pharmaceutical sector. This decision would enable countries with limited or no manufacturing capacities in the pharmaceutical sector to import pharmaceutical products at affordable prices.

(c) and (d) Customs duty on 126 life saving drugs/medicines was made zero vide Notification number 21/2002-Customs dated 1.3.2002.

Export growth

1236. SHRI V.V. RAGHAVAN:
SHRI GAYA SINGH:

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that the export growth during the first half of the current financial year has not been satisfactory as it came down to 10 per cent from 20 per cent during the same period last year; and

(b) if so, the details thereof and Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI SATYABRATA MOOKHERJEE): (a) and (b) As per provisional data provided by the DGCI&S, Kolkata, exports grew by 9.99% in dollar terms during April-September, 2003-04. This is over and above the growth rate of 18.81% during April-September, 2002-03 and despite the Iraq War, SARS and slowdown in major markets like US. Exports Promotion being a constant endeavour of the Government, export performance is monitored on a regular basis. A number of programmes/schemes have been launched through the Union Budget, 2003-04 and Exim Policy, 2003-04. In the Exim Policy, 2003-04, besides, the focus on Service exports, policies have been devised to strengthen Special Economic Zones (SEZs), 100% Export Oriented Units (EOU's), etc. A new programme called "Focus CIS" has been introduced. Duty Neutralization Schemes for import of inputs used for export production have been strengthened.

Export of tea to Pakistan

1237. SHRIMATI AMBIKA SONI:
DR. T. SUBBARAMI REDDY:

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether a Pakistani tea delegation visited India in September, 2003 and had discussions with Government;

(b) whether Government hava agreed to consider an incentive linked package for tea exports to Pakistan;

(c) whether all the concessions as recommended by the Pakistan Government have been fully met;

(d) if so, whether India has exported 10 million kg. of tea to Pakistan during the current fiscal year;

(e) if so, the other steps being taken to export more tea to Pakistan and

(f) to what extent it has been welcomed by the Pakistan Government?